

### **AMENDMENTS TO THE DRAWINGS**

The attached Replacement Sheet (2<sup>nd</sup>) of drawings includes changes to Figs. 14-16. This sheet replaces the substitute sheet submitted by amendment on or about November 15, 2006. In Figures 14-16, the bottle cap configuration was amended to remove the extraneous lines noted by the Examiner.

Attachment: Replacement Drawing Sheet

## **REMARKS/ARGUMENTS**

The Applicant's representative has reviewed the Examiner's Office Action of January 11, 2008 and provides the following response:

### **Drawing Objection**

The Examiner's first objection to the drawings have been obviated by the removal of the extraneous lines from Figures 14-16, as reflected in the replacement sheet submitted herewith (marked "Replacement Sheet (2nd)").

Regarding the Examiner second objection to the drawings, the "partially shrunk" configuration of the sleeve is depicted in Figure 15, and this corresponds to what was set forth in Claim 22, which has now been cancelled.

### **Claim Rejections - 35 USC § 112**

The reference to a "closed end" is now, for purposes of clarity, referred to as a "covered end". This change was made in claim 15 and 22 has been cancelled.

### **Claim Rejections - 35 USC § 103**

Claims 1 – 7 and 22 have been cancelled without prejudice.

Most of the subject matter of claim 17 has been added to claim 15. The Examiner rejected claim 17 on two separate bases: 1) Salemi in view of Holoubek and Crum 2) Reinhart in view of Sayer and Crum. However, none of these references, alone or in combination, teach the use of a label as a cover for an opening that is protected by a shrink sleeve. Therefore, it is believed that claim 15 as amended, is patentable.

### **Conclusion**

For the foregoing reasons, the Applicants believe that the claims are sufficiently distinguished from the prior art and are in condition for allowance.

It is believed that a two-month extension fee is due in connection with the present Amendment, and a *Request for an Extension of Time* is enclosed herewith. You are hereby authorized to deduct the required amounts from our Deposit Account No. 02-0400 (Baker & McKenzie). In the event that the Applicant has miscalculated the fees due, you are also authorized to credit any overpayment or charge any underpayment. *When identifying such a withdrawal, please use the Attorney **Docket Number BMO-129**.*

June 11, 2008

Respectfully,

A handwritten signature in black ink that reads "David I. Roche". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

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David I. Roche  
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